

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT TACOMA

7 JEFFREY R. McKEE,

8 Plaintiff,

9 v.

10 LOREN TAYLOR *et al.*,

11 Defendants.  
12

No. 09-5207RJB/JRC

ORDER ADOPTING REPORT AND  
RECOMMENDATION

13 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.  
14 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining  
15 record, does hereby find and ORDER:  
16

- 17 (1) The Court adopts the Report and Recommendation;
- 18 (2) Defendant's Motion to Dismiss is GRANTED. This action is DISMISSED WITH  
19 PREJUDICE for failure to state a claim with the dismissal counting as a strike  
20 pursuant to 28 U.S.C. 1915.
- 21 (3) The Clerk is directed to send copies of this Order to plaintiff, counsel for  
22 defendants, and to the Hon. J. Richard Creatura.

23 DATED this 1st day of December, 2009.

24 

25 ROBERT J. BRYAN  
26 United States District Judge